NOVA SCOTIA MUNICIPAL BOARD

1989 ANNUAL REPORT

This Annual Report is submitted to the Legislature in accordance with Section 44(2) of the Municipal Board Act.

The Nova Scotia Municipal Board is a three-member board, including a Chairman and Vice-Chairman. The Board's jurisdiction includes the following:

1. Appeals under the Planning Act from decisions of Municipal Councils, Development Officers and the Provincial Director of Planning;

2. Appeals under the Assessment Act from decisions of the Regional Assessment Appeal Courts;

3. Applications under the Municipal Boundaries and Representation Act respecting municipal boundaries, polling districts, amalgamations and annexations of municipalities and dissolutions of towns;

4. Applications and appeals under the Shopping Centre Development Act;

5. Applications under the Village Service Act;

6. School Boards Membership Act.

The Board travels throughout the Province. It holds hearings in or near the municipality affected by the application or appeal. The public is advised of its hearings by advertisements in a newspaper circulating in the area, except for assessment hearings. The Board may, in addition, require the Appellant or Applicant to personally serve the assessed owners of nearby property.

All Board hearings are open to the public. Most

hearings are one to two days in length. Beginning in January, 1989, the Board scheduled evening sessions so that members of the public could make presentations to the Board.

The following pages fully list the various matters which were dealt with by the Board in 1989. The Board publishes all its decisions annually and these are available from the Board or the Government Book Store.

Respectfully submitted,

NOVA SCOTIA MUNICIPAL BOARD

MICHAEL G. JOHNSON, C.A.
Chairman.

LINDA D. GARBER,
Vice-Chairman

RICHARD L. WELDON,
Member.

March 5, 1990.

STATISTICS

Planning

42 Appeals filed in 1989:

14	Discontinued
6	Pending
8	Allowed
14	Dismissed
42	Total

8 Appeals filed in previous years,
Decided in 1989;

7	Allowed
1	Dismissed
8	Total

Assessment

14 Appeals filed in 1989:

3	Discontinued
3	Allowed
2	Dismissed
6	Pending
14	Total

6 Appeals filed in previous years,
Decided in 1989;

3	Allowed
3	Dismissed
6	Total

Municipal Boundaries & Representation

2 Appeals filed in 1989: 1 Pending, 1 Approved

Shopping Centre Development

1 Appeal filed in 1988,
Decided in 1989. Application Approved

NOVA SCOTIA MUNICIPAL BOARD

Applications & Appeals Filed in 1989	Disposition	Municipality
PLANNING		
NSMB-1-89-P James S. Landry	Discontinued	Town of Windsor
NSMB-2-89-P Graham L. Knickle	Dismissed	Town of Lunenburg
NSMB-3-89-P Dr. Joseph Walker	Discontinued	City of Sydney
NSMB-4-89-P William Bates & Warren Schuhlein	Allowed	Town of New Glasgow
NSMB-5-89-P Carson Smith	Discontinued	Town of Parrsboro
NSMB-6-89-P David G. Trask	Dismissed	County of Yarmouth
NSMB-7-89-P Richard Hattin	Dismissed	Town of Bedford
NSMB-8-89-P David W. Rice	Discontinued	County of Kings
NSMB-9-89-P Redden Brothers Development Ltd.	Allowed	Town of Bedford
NSMB-10-89-P Ronald J. Smith	Discontinued	Town of Parrsboro
NSMB-11-89-P David Walsh	Dismissed	Town of Bedford
NSMB-12-89-P Joseph Goshen	Allowed	City of Halifax

NSMB-13-89-P Paul & Lillian Swanburg	Dismissed	County of Kings
NSMB-14-89-P L & G Holdings Ltd.	Allowed	City of Halifax
NSMB-15-89-P Charles M. Guy	Discontinued	County of Shelburne
NSMB-16-89-P Long, MacMillan et al	Dismissed	County of Cape Breton
NSMB-17-89-P Victoria Motel Hotel (1986) Ltd.	Allowed	District of Barrington
NSMB-18-89-P Steve Rajendram	Dismissed	City of Halifax
NSMN-19-89-P Roy Schnare	Dismissed	District of Chester
NSMB-20-89-P Ken Murphy Car Sales Ltd. et al	Dismissed	Town of Yarmouth
NSBM-21-89-P Cossitt, Ferguson et al	Discontinued	County of Cape Breton
NSMB-22-89-P Cigas Products Ltd.	Pending	County of Cape Breton
NSMB-23-89-P Manoj Benjamin	Discontinued	City of Halifax
NSMB-24-89-P Slumber Inns	Pending	County of Kings
NSMB-25-89-P MacNeil, Donald et al Ltd.	Pending	Town of Truro

NSMB-26-89-P Barrie, Michael et al	Allowed	County of Halifax
NSMB-27-89-P Vaughne Realty Ltd. Ltee.	Dismissed	Town of Yarmouth
NSMB-28-89-P Roy A. Wilson	Discontinued	County of Colchester
NSMB-29-89-P Manoj Benjamin	Discontinued	City of Halifax
NSMB-30-89-P David Renn	Discontinued	Town of Yarmouth
NSMB-31-89-P Alvin MacDonald	Allowed	County of Halifax
NSMB-32-89-P Marriott & Baker	Withdrawn at hearing	County of Halifax
NSMB-33-89-P John Ross & Sons Ltd.	Dismissed	Town of Truro
NSMB-34-89-P Sandy Miller	Allowed	Town of Truro
NSMB-35-89-P Talal Ibrahim	Discontinued	Town of Truro
NSMB-36-89-P Louise & John Mullins	Dismissed	City of Halifax
NSMB-37-89-P Dorothy Deveau	Pending	County of Clare
NSMB-38-89-P Mildred L. Romanow	Discontinued	District of Chester

NSMB-39-89-P Jim MacNeil	Pending	City of Sydney
NSMB-40-89-P Gary Cullip	Dismissed	Town of Truro
NSMB-41-89-P National Bowling	Dismissed	Town of North Sydney
NSMB-42-89-P James F. Murphy	Pending	County of Cape Breton

MUNICIPAL BOUNDARIES & REPRESENTATION ACT		Municipality
NSMB-1-89-MB Carl Campbell	Pending	County of Inverness
NSMB-2-89-MB Municipality of the County of Pictou & Town of Trenton	Approved	County of Pictou

ASSESSMENT

Appeals filed in 1989	Disposition	Municipality
NSMB-1-89-A Director v. Jachimovicz	Discontinued	City of Dartmouth
NSMB-2-89-A IPCF Properties Inc.	Pending	City of Dartmouth
NSMB-3-89-A Woodlawn Shopping Centre Ltd. & Clifton Management Corp.	Dismissed - Appeal to N.S. Supreme Court, Sent back for re-hearing - Pending	City of Dartmouth
NSMB-4-89-A Town of Windsor	Allowed	Town of Windsor
NSMB-5-89-A Municipality of West Hants v. Louise Crowe	Discontinued	District of West Hants
NSMB-6-89-A Can-Euro Investments Ltd.	Allowed	City of Dartmouth
NSMB-7-89-A Director of Assessment v. James & Linda Durling	Allowed	District of East Hants
NSMB-8-89-A Director of Assessment v. Solomon Inc.	Pending	County of Digby
NSMB-9-89-A William & Janet Hutton	Discontinued	City of Halifax
NSMB-10-89-A T. Eaton Company Ltd.	Pending	City of Halifax
NSMB-11-89-A Cyrus John	Dismissed	City of Halifax

NSMB-12-89-A Isla MacEachern & David McCarthy	Pending	City of Halifax
NSMB-13-89-A Director of Assessment v. Brimar Developments Ltd.	Pending	City of Dartmouth
NSMB-14-89-A Raymond Nicholson v. Director of Assessment	Pending	Town of North Sydney

Decisions Rendered in 1989 Regarding Appeals Filed In Previous Years

PLANNING

Appeal	Disposition	Municipality
NSMB-13-88-P Ethel M. Brown	Allowed	City of Halifax
NSMB-24-88-P Correne Chisholm	Allowed	Town of Amherst
NSMB-22-88-P Rocky & Wanda Reid	Allowed	County of Kings
NSMB-26-88-P Annie Frizzell	Allowed	County of Colchester
NSMB-29-88-P Gloria Barnes	Allowed	Town of Sydney Mines
NSMB-31-88-P Ferguson/Blom	Allowed	City of Halifax
NSMB-12-88-P Donald Grady et al	Allowed	County of Halifax
NSMB-27-88-P Kingston Aluminum Products Ltd.	Dismissed	Town of Truro

Applications under Shopping Centre Development Act

Application	Disposition	Municipality
NSMB-2-88-SCD Markborough Properties Ltd. & Burnac Leaseholds	Approved	County of Cape Breton

ASSESSMENT

Appeal	Disposition	Municipality
NSMB-135-86-A Gordon's Greenhouses Ltd.	Hearing re Costs Only - No Costs Awarded.	County of Cumberland
NSMB-148-87-A Park Projects Ltd.	Allowed	City of Halifax
NSMB-4-88-A Northwind Holdings Ltd.	Allowed	County of Halifax
NSMB-10-88-A Dr. Richard Collins	Dismissed	City of Halifax
NSMB-12-88-A Flora Jones	Dismissed	Town of Glace Bay
NSMB-11-89-A Pier 21 - Artists	Allowed	City of Halifax